

Customer No.: 31561
Docket No.: 13369-US-PA
Application No.: 10/710,930

REMARKS

Status of the Present Invention

Claims 1-18, 20, 21 are now pending in the application.

Claims 16-18, 20, and 21 are allowed.

Claims 1, 4, 5, 7-9, 11, 12, 14, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al. (US patent 5,056,296).

Claims 2, 3, 6, 10 and 13 are objected to but would be allowable if rewritten.

Discussion of Rejections Under 35 U.S.C. § 103(a)

Claims 1, 4, 5, 7-9, 11, 12, 14, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al. (US patent 5,056,296).

In response thereto, Applicants hereby otherwise traverse these rejection.

As admitted by the Examiner, Ross et al. does not disclose the second air channel and the third air channel being formed individually without linking each other. However, in rejecting the foregoing claims, the Examiner contended that "a layout of such air channels is within the general knowledge of one of ordinary skill in the art would find it obvious to modify the layout the air channels in order to produce an effective assembling device".

Applicants respectfully disagree.

Ross et al. teaches: "second platen 3 is equipped with a holding means 12 for holding lid 8 within lid locator means 6 while second platen 3 is inverted. Holding means 12 can be a mechanical means for holding, or preferably a vacuum 12a which is controllable on the exterior of apparatus 1 ... vacuum is pumped to individual lid locator means 6 using vacuum lines 12b and vacuum inlet 12c ..." (col. 6, line 66 to col. 7, line

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6). It can be concluded from the teachings that the vacuum 12a and the vacuum inlet 12c which had been interpreted corresponding to the second air channel and the third air channel as set forth in the claimed invention are required to be linked each other.

This linkage between the vacuum 12a and the vacuum inlet 12c cannot be cut off without destroying the principle of operation of Ross et al. Or in other words, there is no expectation of success to cut off the linkage between the vacuum 12a and the vacuum inlet 12c, because this would definitely make the device inoperable.

Further, one of ordinary skill in the art would not be motivated to modify the layout of the air channels (linkage between the vacuum 12a and the vacuum inlet 12c hereby), because Ross et al. has clearly taught an effective assembling device with the layout of the air channels, and one of ordinary skill in the art would not see any potential to success of cutting off the linkage without any further clear teaching to do so.

Applicants submit that the modification proposed by the Examiner is not appropriate, and the obviousness type rejections relying on which are accordingly traversed, and should be withdrawn.

As such, claims 1, 4, 5, 7-9, 11, 12, 14, 15 are submitted to be novel and unobvious over Ross et al., or any of the other cited references, taken alone or in combination, and thus should be allowed.

Applicant submits that claims 2, 3, 6, 10 and 13 remain unchanged from their original form, while the rejections to the rejected base claims 1 and 9 are traversed, claims 2, 3, 6, 10 and 13 are submitted to be also allowable as a matter of law.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending Claims 1-18 and 20-21 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date :

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